

**LEGISLATIVE SERVICES AGENCY  
OFFICE OF FISCAL AND MANAGEMENT ANALYSIS**

200 W. Washington, Suite 301  
Indianapolis, IN 46204  
(317) 233-0696  
<http://www.in.gov/legislative>

**FISCAL IMPACT STATEMENT**

**LS 7755**

**BILL NUMBER:** SB 528

**NOTE PREPARED:** Feb 27, 2003

**BILL AMENDED:** Feb 25, 2003

**SUBJECT:** Reentry Court Program.

**FIRST AUTHOR:** Sen. Wyss

**FIRST SPONSOR:** Rep. Moses

**BILL STATUS:** As Passed - Senate

**FUNDS AFFECTED:** X GENERAL  
DEDICATED  
FEDERAL

**IMPACT:** State & Local

**Summary of Legislation:** (Amended) This bill permits certain drug offenders participating in a reentry court program to receive food stamps or Temporary Assistance for Needy Families (TANF).

**Effective Date:** July 1, 2003.

**Explanation of State Expenditures:** (Revised) Federal regulations provide that an individual convicted of a felony involving the possession, use, or distribution of a controlled substance is not eligible for benefits under the Food Stamp program or the TANF program. This bill provides that the state elects to opt out of this federal prohibition for individuals successfully participating in a reentry court program in any county in Indiana.

The Reentry Court Program was created to supervise and provide services for offenders who are being released from the Department of Correction. As defined in the bill, a reentry court includes the following elements:

- A circuit or superior court has established and administers the program.
- The program is designed to supervise and provide services to an individual who was previously incarcerated in a DOC adult correctional facility.
- The goal of the program is to increase the likelihood that the individual will become self-sufficient and not commit additional crimes.
- The program provides intensive supervision including 24-hour electronic monitoring supervision
- The program provides regular and direct judicial intervention that is supported and advised by a transition team consisting of community corrections program professionals, parole officers, or other

professionals involving victim assistance, substance abuse treatment, or community volunteers.

Currently, the Allen Superior Court operates the only Reentry Court Program in Indiana. Currently, 61 adults who were sentenced as drug offenders participate in the program. The estimated cost per month for TANF assistance and IMPACT supportive services is about \$7,200 per adult.

The Food Stamps program is a federally funded program with the state responsible for eligibility determination. Additional individuals eligible for this program would have minimal impact on the state.

However, the TANF program is cost-shared with funding coming through a federal block grant and state General Fund appropriations. TANF assistance is available to families with children under the age of 18 that are deprived of financial support from a parent by reason of death, absence from the home, unemployment, or physical or mental incapacity. A family may not possess assets valued in excess of \$1,000 at the time application for assistance is made, and countable income may not be greater than \$229 per month for a family of one adult and one child (the income requirement would vary by family size). Assuming the individual would otherwise qualify for TANF, the individual is assumed to be eligible for employment and training services provided to families receiving cash assistance.

This provision should have no impact on the Medicaid program.

**Explanation of State Revenues:**

**Explanation of Local Expenditures:**

**Explanation of Local Revenues:**

**State Agencies Affected:** Family and Social Services Administration.

**Local Agencies Affected:** Allen Superior Court.

**Information Sources:** Judge John Surbeck, Allen Superior Court; Melanie Bella, OMPP, (317) 233-4455.

**Fiscal Analyst:** Mark Goodpaster, 317-232-9852